

**Councilors-at-Large**

Mark A. Oram  
Michael H. Ossing  
Samantha Perlman  
Kathleen D. Robey



**Ward Councilors**

Ward 1 – Laura J. Wagner  
Ward 2 – David Doucette  
Ward 3 – J. Christian Dumais  
Ward 4 – Teona C. Brown  
Ward 5 – John J. Irish  
Ward 6 – Sean A. Navin  
Ward 7 – Donald R. Landers, Sr.

**Council President**

Michael H. Ossing

**Council Vice-President**

Kathleen D. Robey

**CITY OF MARLBOROUGH  
CITY COUNCIL  
MEETING MINUTES  
MONDAY, FEBRUARY 28, 2022**

The regular meeting of the City Council was held on Monday, February 28, 2022 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 8:20 PM.

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, February 14, 2022, **FILE**; adopted.

Mayor Vigeant provided the City Council with an update on COVID-19 and city events.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Information on the MassDevelopment PACE (Property Assisted Clean Energy) program and impact/opportunities for Marlborough, referred to the **CLIMATE RESILIENCY COMMITTEE**; adopted.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$24,999.00 from the Executive Office of Public Safety and Security and the Department of Fire Services awarded to the Fire Department to be used to improve multi-jurisdictional communication capabilities; adopted.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

**ORDERED:** That the Transfer Request in the amount of \$361,080.93 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT-TV for FY2023, referred to the **FINANCE COMMITTEE**; adopted.

**Councilor Ossing read a Disclosure of Appearance of Conflict of Interest into the record.**

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
	DEPT:	Major					FISCAL YEAR:	2022		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$439,542.81	\$361,080.93	27000099	47750	Receipts Reserved-PEG Funds	\$361,080.93	89000	25581	Marlboro Cable Trust		\$0.00
	Reason:	To fund WMCT'S FY23 Budget								
	\$361,080.93	Total			\$361,080.93	Total				

Motion by Councilor Irish, seconded by the Chair to adopt the following:

**ORDERED:** That a West Side Fire Station Stabilization Fund is hereby established, by a two-thirds vote pursuant to MGL Chapter 40 §5B, for the purposes of funding all costs associated with site acquisition and construction of a new fire station in the west side of Marlborough, referred to the **FINANCE COMMITTEE**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

**ORDERED:** That the Communication from Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to WP Marlborough MA Owner, LLC v. Marlborough City Council, **MOVED TO AFTER AGENDA ITEM #14**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

**ORDERED:** That the Communication from Solicitor Jason Grossfield, re: Petition from William Camuso on behalf of Camuso Enterprises, LLC, for hours of operation of a gas station (Shell Station) at 431 Lincoln Street pursuant to Chapter 342 of the Code, in proper legal form, Order No. 20/22-1008046C, **MOVED TO AFTER AGENDA ITEM #13**; adopted.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- a) Board of Registrars, February 14, 2022.
- b) Commission on Disabilities, June 1, 2021.
- c) Council on Aging, January 11, 2022.
- d) Planning Board, January 10, 2022.
- e) Traffic Commission, November 3, 2021 & December 29, 2021.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the following CLAIMS, referred to the **LEGAL DEPARTMENT**; adopted.

- a) Amanda Clark, 121 W. Acton Road, Stow, MA, pothole or other road defect.
- b) William Connor III, 133 Ash Street, #1, pothole or other road defect.
- c) Helen Cronis, 215 Evelina Drive, residential mailbox claim (2a).
- d) Raymond Magee, 793 Stevens Street, residential mailbox claim (2a).
- e) Steven Moran, 79 Donovan Drive, #186, Quinebaug, CT, pothole or other road defect.
- f) Ildus Nurlat, 99 Second Road, residential mailbox claim (2a).
- g) Lorna Rousseau, 140 Donahue Drive, residential mailbox claim (2a).
- h) Kathlyn Scheel, 62 Leoleis Drive, residential mailbox claim (2a).
- i) Dorai Sitaram, 48 Morrissey Road, residential mailbox claim (2a).

Reports of Committees:

Councilor Irish reported the following out of the Finance Committee:

**City Council Finance Committee  
Report and Minutes  
Wednesday – February 23, 2022**

This meeting convened at 6:30 PM and was held in the City Council Chamber, second floor, City Hall. Public attendance was permitted. The meeting was televised on WMCT-TV (Comcast Channel 8) and Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page ([www.marlborough-ma.gov](http://www.marlborough-ma.gov)).

Finance Committee Members Present: Chairman Irish; Councilors Dumais, Oram, Perlman and Brown.

Finance Committee Members Absent: None

Other Councilors in Attendance: Councilors Ossing, Robey, Navin and Landers (arrived 6:36 PM).

The meeting convened at 6:30 PM.

**1. Order No. 22-1008509 – Mid-Year Transfers \$1,652,616.00:**

The Finance Committee reviewed the Mayor's letter dated February 10, 2022 requesting \$1,652,616.00 in mid-year transfers from various departments that fund contractual bargaining units, the vaccine incentive program and mid-year department budget transfers. The Finance Committee voted 5 - 0 to approve the mid-transfer.

## Reports of Committee Continued:

- The Finance Committee agreed to support suspending the rules at the February 28, 2022, City Council meeting to approve the mid-year transfers.

**2. Order No. 22-1008512 – Parking Enforcement Officer Salary Ordinance:**

The Finance Committee reviewed the Mayor's letter dated February 10, 2022 requesting change to the salary ordinance Chapter 125 for the Parking Enforcement Officer. The change would increase the Parking Enforcement Officer to not exceed \$25 per hour. The ordinance is in the process of being advertised. The Finance Committee voted 5 - 0 to approve the Parking Enforcement Officer salary ordinance change to not exceed \$25 per hour.

**The Finance Committee adjourned at 7:31 PM.**

Motion by Councilor Irish, seconded by the Chair to adopt the following:

**Suspension of the Rules requested – granted.**

ORDERED: That the Mid-Year Transfer Requests totaling \$1,652,616.00 from various departments for FY 22, which moves funds from and to accounts as outlined in the transfer sheets, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Various					FISCAL YEAR:	2022	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$670,629.00	\$670,629.00	11990006	57820	Reserve for Salaries	\$2,237.00	11110002	50350	City Council Sect	\$30,110.00
	Reason:				Reason:	Contractual Obligation			
\$6,909,493.00	\$768,447.00	10000	35900	Undesignated Fund	\$3,515.00	11110003	50070	City Councilors	\$46,536.00
	Reason:				Reason:	Contractual Obligation			
					\$3,189.00	11210001	50010	Mayor	\$42,995.00
					Reason:	Contractual Obligation			
					\$2,097.00	11210001	50321	Exec Aide to Mayor	\$28,240.00
					Reason:	Contractual Obligation			
					\$1,724.00	11210002	50590	Exec Secretary	\$23,247.00
					Reason:	Contractual Obligation			
					\$976.00	11330001	50015	Finance Director/Treas	\$45,067.00
					Reason:	Contractual Obligation			
					\$4,043.00	11330002	50062	Finance Assistant	\$53,861.00
					Reason:	Contractual Obligation			

							\$866.00	11330002	50520	Principal Clerk		\$20,829.00
							Reason:	Contractual	Obligation			
							\$3,450.00	11350001	50020	Auditor		\$46,354.00
							Reason:	Contractual	Obligation			
							\$430.00	11350001	50174	Procurement Officer		\$35,713.00
							Reason:	Contractual	Obligation			
							\$1,642.00	11350002	50520	Principal Clerk		\$21,823.00
							Reason:	Contractual	Obligation			
							\$1,716.00	11410002	50550	Head Clerk		\$23,669.00
							Reason:	Contractual	Obligation			
							\$3,837.00	11510001	50030	City Solicitor		\$51,545.00
							Reason:	Contractual	Obligation			
							\$566.00	11520001	50530	HR Director		\$41,625.00
							Reason:	Contractual	Obligation			
							\$1,871.00	11520001	50532	HR Assistant		\$25,195.00
							Reason:	Contractual	Obligation			
							\$1,477.00	11520002	50775	Admin Assistant		\$19,921.00
							Reason:	Contractual	Obligation			
							\$1,821.00	11550001	50014	Director IT		\$24,527.00
							Reason:	Contractual	Obligation			
							\$2,202.00	11550001	50210	Sr System Analyst		\$29,207.00
							Reason:	Contractual	Obligation			
							\$2,634.00	11550001	50213	Network Engineer		\$36,149.00
							Reason:	Contractual	Obligation			
							\$7,128.00	11550001	50385	Electrician		\$24,965.00
							Reason:	Contractual	Obligation			
							\$2,720.00	11610001	50050	City Clerk		\$39,146.00
							Reason:	Contractual	Obligation			
							\$1,999.00	11610002	50290	Assist City Clerk		\$26,885.00

[illegible]

								\$2,032.00		12200002	50062	Finance Assistant		\$26,919.00
								Reason:		Contractual	Obligation			
								\$6,121.00		12410001	50095	Asst Bldg Commissioner		\$11,715.00
								Reason:		Contractual	Obligation			
								\$2,470.00		12410001	50109	Environmental Officer		\$33,213.00
								Reason:		Contractual	Obligation			
								\$37,249.00		12410001	50260	Local Inspector		\$64,392.00
								Reason:		Contractual	Obligation			
								\$3,651.00		12410001	50370	Plumbing Inspector		\$27,823.00
								Reason:		Contractual	Obligation			
								\$3,395.00		12410001	50380	Electrical Inspector		\$28,079.00
								Reason:		Contractual	Obligation			
								\$10,400.00		12410001	50960	Asst Plmbg Inspector		\$4,150.00
								Reason:		Contractual	Obligation			
								\$5,642.00		13032001	50292	Bldg Maint Craftsman		\$60,821.00
								Reason:		Contractual	Obligation			
								\$3,828.00		13032001	50385	Electrician		\$25,803.00
								Reason:		Contractual	Obligation			
								\$10,743.00		13032001	50386	HVAC		\$51,602.00
								Reason:		Contractual	Obligation			
								\$98.00		13032001	50690	Foreman		\$32,231.00
								Reason:		Contractual	Obligation			
								\$3,839.00		14000001	50600	DPW Commissioner		\$53,559.00
								Reason:		Contractual	Obligation			
								\$3,293.00		14000001	50630	Asst DPW Commissioner		\$44,249.00
								Reason:		Contractual	Obligation			
								\$1,950.00		14000002	50062	Financial Analyst		\$26,538.00
								Reason:		Contractual	Obligation			
								\$1,137.00		14000002	50550	Head Clerk		\$23,664.00



[illegible]

										\$2,980.00	✓15120001	50605	Director of Public Health	\$40,154.00
										Reason:	Contractual Obligation			
										\$2,054.00	✓15120002	50520	Principal Clerk	\$20,509.00
										Reason:	Contractual Obligation			
										\$311.00	✓15120003	50990	Board of Health Members	\$863.00
										Reason:	Contractual Obligation			
										\$4,119.00	✓15410001	50190	Director Elderly Affairs	\$32,624.00
										Reason:	Contractual Obligation			
										\$1,512.00	✓15410001	50132	Outreach Worker	\$20,060.00
										Reason:	Contractual Obligation			
										\$1,293.00	✓15410002	50584	Clerk Typist	\$17,145.00
										Reason:	Contractual Obligation			
										\$1,426.00	✓15410002	50770	Senior Clerk	\$18,681.00
										Reason:	Contractual Obligation			
										\$1,517.00	✓15430001	50080	Veterans Director	\$27,295.00
										Reason:	Contractual Obligation			
										\$3,361.00	✓16100001	50230	Library Director	\$45,159.00
										Reason:	Contractual Obligation			
										\$2,001.00	✓16100001	50300	Asst Library Director	\$26,883.00
										Reason:	Contractual Obligation			
										\$1,704.00	✓16100001	50470	Childrens Librarian	\$22,599.00
										Reason:	Contractual Obligation			
										\$1,647.00	✓16100001	50480	Cataloguer	\$21,818.00
										Reason:	Contractual Obligation			
										\$1,853.00	✓16100001	50656	Head of Circulation	\$24,550.00
										Reason:	Contractual Obligation			
										\$1,647.00	✓16100002	50520	Principal Clerk	\$21,818.00
										Reason:	Contractual Obligation			
										\$1,487.00	✓16100003	50860	Full Time Library Clerk	\$27,016.00

								\$1,487.00	16100003	50860	Full Time Library Clerk		\$27,016.00
								Reason:	Contractual Obligation				
								\$2,418.00	60080001	50570	Chemist		\$32,269.00
								Reason:	Contractual Obligation				
								\$3,067.00	60080001	50630	Asst DPW Commissioner		\$42,643.00
								Reason:	Contractual Obligation				
								\$2,689.00	60085001	50910	Head Treatment Operator		\$39,413.00
								Reason:	Contractual Obligation				
								\$2,747.00	61090001	50680	General Foreman		\$37,737.00
								Reason:	Contractual Obligation				
								\$19,205.00	61090001	50690	Foreman		\$117,139.00
								Reason:	Contractual Obligation				
								\$130,105.00	61090001	50740	Equipment Operators		\$155,215.00
								Reason:	Contractual Obligation				
								\$2,463.00	61090001	50780	Chief Pump Station Oper		\$32,620.00
								Reason:	Contractual Obligation				
								\$440.00	61090002	50520	Principal Clerk		\$20,826.00
								Reason:	Contractual Obligation				
								\$555,250.00	11990006	53565	COVID 19		\$46,380.00
								Reason:	Vaccination incentive				
								\$1,439,076.00					

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Various					FISCAL YEAR:	2022	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$170,343.20	\$50,540.00	16100003	51261	Part-Time Library Clerks	\$23,540.00	12410004	53180	Bldg Prof & Tech Serv	\$0.00
	Reason:	Vacant positions				For prior year outstanding invoices from 4Leaf			
					\$14,000.00	11520004	53010	Medical Exams	\$2,179.50
						Large number of hires including Fire & Police			
					\$13,000.00	11520006	57380	Conference & Training	\$16,902.08
						Munis and Microsoft training			
\$70,803.71	\$15,000.00	11510001	50172	Assist City Solicitor	\$15,000.00	11510004	53110	Legal Services	\$49,970.79
		Position was vacant				To replace funds transferred to Claims & Judgements back in September			
\$20,000.00	\$6,000.00	14920003	50999	Events Coordinator	\$6,000.00	11210003	51250	Summer Employment	\$6,092.56
	Reason:	Vacant position				Anticipated funds needed through June 30th			
\$19,050.00	\$16,000.00	11620002	50141	Clerk	\$16,000.00	11520004	53140	Contract Services	\$18,339.51
	Reason:	Vacant position				Fire promotional process			
	\$87,540.00	Total			\$87,540.00	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	FIRE					FISCAL YEAR:	2022	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$82,093.00	\$5,000.00	12200001	50805	Fire Inspector	\$5,000.00	12200006	52500	Repair/Maint. Equipmt.	\$4,092.09
	Reason:	Vacancy created surplus				Increased costs for SCBA repairs & Fleet PM's			
	\$5,000.00	Total			\$5,000.00	Total			

	CITY OF MARLBOROUGH								
	BUDGET TRANSFERS --								
	DEPT:	Department of Public Works/Public Facilities				FISCAL YEAR:	2022		
		FROM ACCOUNT:				TO ACCOUNT:			
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
Balance									Balance
\$29,626	\$23,000.00	11920001	50291	Public Facilities Director	\$23,000.00	11920006	52469	Repairs & Maint	\$42,846.00
	Reason:	Excess due to vacancy				Jericho lighting upgrade, police station upgrade and others			
\$135,239	\$25,000.00	14001101	50710	Junior Civil Engineer	\$25,000.00	14001106	57830	Enviorn. Complaine NPDES	\$9,879.00
	Reason:	Vacancy due to promotion				Additional sampling for Hudson st landfill			
\$107,476	\$25,000.00	14001101	50660	Assistant City Engineer	\$25,000.00	14001104	53180	Prof & Tech Services	\$25,720.00
	Reason:	Excess due to previous vacancy				Consultant design services for upcoming projects			
\$40,789	\$15,000.00	60081001	50750	Equipment Operator	\$48,000.00	60085004	52570	Service Contract-Plant Equip	\$26,536.00
	Reason:	Excess due to vacancy				Update Technically Based Local Industrial Discharge Limits			
\$165,918	\$24,000.00	60081001	50850	Treatment Plant Operator					
	Reason:	Excess due to previous vacancy							
\$131,079	\$9,000.00	60085001	50850	Treatment Plant Operator					
	Reason:	Excess due to vacancy							
	\$121,000.00	Total			\$121,000.00	Total			

Motion by Councilor Robey, seconded by the Chair to adopt the following:

**Suspension of the Rules requested – granted.**

ORDERED: That the Communication from the Mayor, re: Request that the City Council consider a Proposed Zoning Change regarding a portion of Jefferson Street, **ORDERED ADVERTISED.**

**Councilor Dumais recused.**

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED That the Reappointment of David Giorgi as Police Chief for a four-year term to expire on August 20, 2025, **APPROVED**; adopted.

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED That the Appointment of Sarah Hough to the Historical Commission for a term of three years effective from date of confirmation, **APPROVED**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED That the Communication from Solicitor Jason Grossfield, re: Petition from William Camuso on behalf of Camuso Enterprises, LLC, for hours of operation of a gas station (Shell Station) at 431 Lincoln Street pursuant to Chapter 342 of the Code, in proper legal form, Order No. 20/22-1008046C, **FILE**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED That the application of William Camuso on behalf of Leigh Enterprises, Ltd. (the "Petitioner" or "Holder") to issue a permit to grant an exemption to the hours of operation under City Code Chapter 342, Article 1, Section 342-2, allowing the Shell Gas Station at 431 Lincoln Street to be open for business for certain additional hours is hereby approved in part, in accordance with the following findings and subject to the below conditions:

A. Findings

The City Council hereby finds that the petition may be granted, when limited and conditioned as set forth below, so that the public convenience and welfare may be substantially served without detrimental effect upon the public health, peace or safety.

B. Permit Conditions

1. This permit authorizes a partial exemption to the hours of operation set forth in City Code 342-1 which is limited to the following: The service station located at 431 Lincoln Street, Marlborough may be open for business from 5:00 AM to 11:00 PM daily. The service station is not permitted to be open for business outside of those hours.
2. This permit is effective for a period of one (1) year from the date of approval of this permit. Thereafter, at the discretion of the City Council, it may be renewed for periods of up to five years.
3. In regard to both location and holder, the exemption shall be non-transferrable.
4. Petitioner shall install, maintain and use a video surveillance and video recording system to monitor entry ways and sales attendant positions.
5. Petitioner shall install and maintain a silent robbery/panic alarm system which must be monitored by a central alarm system. Alarm activators must be installed at all sales attendant positions.
6. Petitioner shall permit the Chief of Police or the Chief's designee to inspect, upon demand, the video surveillance, video monitoring and alarm systems. If any of the systems are found to be not in compliance with these conditions, Petitioner must limit the hours of operation of the station to between 6:00 AM and 11:00 PM until full compliance with conditions is achieved.
7. Petitioner shall not permit or suffer any automotive repair work to be performed on the premises by any person.

**APPROVED**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

**ORDERED** That the Application for Special Permit from Attorney Falk on behalf of J & D Landscape Contractors to construct and operate both a contractor's yard and landscaping contractor's yard at the Airport Industrial Park, 101 Airport Boulevard, Unit 12, referred to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE MARCH 14, 2022, COUNCIL MEETING**; adopted.

**Councilor Brown recused.**

**ORDERED** That the Marlborough City Council meet in Executive Session under Purpose 3 of the Open Meeting Law, MGL Chapter 30A §21(a)(3) to "discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body" regarding the pending matter, WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451), as the chair hereby declares that discussion in an open session may have a detrimental effect on the City and the City Council's litigating position.

The City Council will not re-convene in open session after the Executive Session.

**APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**ORDERED** There being no further business, the regular meeting of the City Council is herewith adjourned at 8:20 PM; adopted.